

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION**

|                                 |   |                              |
|---------------------------------|---|------------------------------|
| <b>UNITED STATES OF AMERICA</b> | ) |                              |
|                                 | ) |                              |
|                                 | ) | Case No. 1:04CR00009         |
|                                 | ) |                              |
| v.                              | ) | <b>FINAL ORDER</b>           |
|                                 | ) |                              |
| <b>TRADON MARQUEZ DRAYTON,</b>  | ) | By: James P. Jones           |
|                                 | ) | United States District Judge |
| Defendant.                      | ) |                              |

For the reasons set forth in the Opinion accompanying this Final Order, it is **ORDERED** that the government's Motion to Dismiss (ECF No. 531) is GRANTED and the Motion to Vacate, Set Aside or Correct Sentence, pursuant to 28 U.S.C.A. § 2255, is DENIED. Based upon the court's finding that the defendant has not made the requisite showing of denial of a substantial right, a certificate of appealability is DENIED.

ENTER: October 21, 2010

/s/ JAMES P. JONES  
United States District Judge